APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/421,590	10/20/1999	AJAY P. DEO	COS-98-021	4368

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WORLDCOM, INC.
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EXAMINER
BAUGH, APRIL L

ART UNIT	PAPER NUMBER
2158	

DATE MAILED: 06/04/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.		Applicant(s)	
Office Action Summary	09/421,590		DEO ET AL.	
	Examiner		Art Unit	
	April L Baugh		2155	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-4_ is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-4_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _20 October 1999_ is/are: a)☐ accepted or b)☒ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

     If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All b)☐ Some * c)☐ None of:

         1.☐ Certified copies of the priority documents have been received.

         2.☐ Certified copies of the priority documents have been received in Application No. _____ .

         3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

     a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)   4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)   5) ☐ Notice of Informal Patent Application (PTO-152)

3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .   6) ☐ Other: .

DETAILED ACTION

Drawings

1.   The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: '427' in figure 1, '503' and '509' in figure 3(a), and '25' in figure 3(b). A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

2.   The disclosure is objected to because of the following informalities: On pg.23, line 28, "as" should be "an". On pg.26, line26, "these" should be "this". On pg.26, line 27, "databases is" should be "databases are" or "database is". On pg.28, line 14, "5(c)-5(e)" should be "3(c)-3(e)". On pg.29, line 10, "300" should be "500". On pg. 31, line 13, "that service's" should be "the service's". On pg.33, line 1, "data" should be "date". On pg. 33, line 11, "307" should be "502". On pg. 39, line 12, "5(g) and 5(h)" should be "3(g) and 3(h)". On pg.40, line 15, the U.S. Patent Application No. is missing.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

3.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

4.   Claim 2 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to

particularly point out and distinctly claim the subject matter which applicant regards as the

invention.

5.   Claim 2 recites the limitation "said intelligent communications network" in section (a),

pg.64, lines 7-8. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

6.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999

(AIPA) do not apply to the examination of this application as the application being examined

was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C.

122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment

by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

7.   Claims 1 and 2 are rejected under 35 U.S.C. 102(e) as being anticipated by Ueno et al.

U.S. Patent No. 5,991,811. Referring to claim 1 Ueno et al. discloses a service administration

system for distributing service processing resources among one or more service nodes of an

intelligent communications network, each service node providing services at a network resource

associated with a service node (see column 1, lines 34-39 and column 4, lines 31-40), said

system comprising: a) a device for receiving re-usable service components for providing services

at a service node of said intelligent communications network (see column 2, lines 28-30 and column 20, lines 14-19), each said service component having an associated service profile defining service node resources required for storing, maintaining and executing said service (see column 5, lines 9-18); b) a device for receiving configuration criteria including physical resource capacity of each service node of said network (see column 18, lines 44-48); c) a database device for storing said received service components, said service node configuration criteria, and service profile associated with said service components (see column 4, line 67- column 5, lines 1-4 and column 4, line 27); d) a distribution mechanism for distributing copies of said service components to one or more service nodes according to said service profile information associated with a service and a configuration criteria of said service nodes (see column 4, lines 60-61); and, e) a trigger mechanism for automatically activating and deactivating said service component distributed to said service node, wherein utilization of service node resources are optimized by activating said service components at service nodes during periods of high demand for an associated service (column 19, lines 46-48 and column 20, lines 22-25) and deactivating service components at service nodes during periods of low demand for said service (column 20, lines 28-31 and column 21, lines 55-61).

Referring to claim 2, Ueno et al. discloses a method for administering service components to one or more service nodes comprising an intelligent network. Each service node providing one or more services relating to an event received at a network resource associated with a service node (column 4, lines 41-44 and column 18, lines 55-60 and column 19, lines 11-14), said method comprising the steps of: a) receiving re-usable service components for providing services at a service node of said intelligent communications network (see column 2,

lines 28-30 and column 20, lines 14-19), each said service component having an associated

service profile defining service node resources required for storing, maintaining and executing

said services (see column 5, lines 9-18); b) receiving configuration criteria including physical

resource capacity of each service node of said network(see column 18, lines 44-48); c)

maintaining an database including master copies of said received service components, said

service node configuration criteria, and service profile associated with said service components

(see column 4, line 67- column 5, lines 1-4 and column 4, line 27); d) distributing copies of said

service components to one or more service nodes according to said service profile information

associated with a service and a configuration criteria of said service nodes(see column 4, lines

60-61); and, e) forwarding a trigger to said service node for automatically activating and

deactivating a service component distributed to said service node, whereby a service component

distributed to said service node is activated during periods of high demand for an associated

service (column 19, lines 46-48 and column 20, lines 22-25) and deactivated at service nodes

during periods of low demand for said service (column 20, lines 28-31 and column 21, lines 55-

61).

Claim Rejections - 35 USC § 103

8.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

9.   Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S.

Patent No. 5,991,811 to Ueno et al. in view of Yagel et al.

Referring to claim 3, Ueno et al. does not teach of a repository that distributes objects and data to

the data manager of the node, nor do Ueno et al. teach of a logic execution environment within

the node. Yagel et al. teaches the creation, distribution, and execution of telecommunication

services. Yagel et al. further teaches a service processing system for controlling a

communications network having a plurality of service nodes, each service node comprising at

least one logic execution environment that hosts managed objects (see column 1, lines 65-67 and

column 3, lines 1-12 and column 3, lines 24-27), said service processing system comprising: a

data manager for maintaining at each service node a local storage of managed objects and data

needed for service processing within the service node (column 3, lines 12-14 and column 3,

lines 33-37); at least one service administrator that controls the deployment and activation of

services within said service processing system by distributing, from a global repository, managed

objects and data to one or more data managers associated with said service nodes in said

communications network (see column 4, lines 60-67 and column 4, lines 45-54). Therefore, it

would have been obvious to one having ordinary skill in the art at the time the invention was

made to further modify the information transmission system of Ueno et al. by having each node

contain a logic execution environment, and having a data manager manage the data and objects

(distributed from a repository) at each node because depending on the service the node provides

the proper data and objects must be present and the data manager will ensure that this occurs.

Also the execution environment is needed to process the data and objects, so the service can be

provided.

Regarding claim 4, Ueno et al. does not teach of a global repository that distributes objects and data to the local data store of a node that also contains a logic execution environment. Yagel et al. teaches a method for controlling the deployment and activation of services in a communications network having a plurality of service nodes, each service node comprising at least one logic execution environment that hosts managed objects (see column 1, lines 65-67 and column 3, lines 1-12 and column 3, lines 24-27), said method comprising the steps of: maintaining at each of said service nodes a local data store of managed objects and data needed for service processing within the service node (column 3, lines 12-14 and column 3, lines 33-37); selectively distributing, from a global repository, managed objects and data to one or more of said local stores associated with said service nodes in said communications network, so as to control where and when services are deployed and activated in said communications network (see column 4, lines 60-67 and column 4, lines 45-54 and column1, lines 63-65). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the information transmission system of Ueno et al. by having each node contain a local data store (that contains objects and data distributed from a repository) and logic execution environment because the node must have the data and objects readily available for processing and the store provides this. Also the execution environment is needed to process the data and objects, so the service can be provided.

Conclusion

10.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents are cited to further show the state of the art with respect to online information transaction systems in general:

US Pat No. 6,122,510 to Granberg

US Pat No. 5,915,008 to Dulman

US Pat No. 5,838,970 to Thomas

US Pat No. 6,044,142 to Hammarstrom et al.

US Pat No. 5,898,839 to Berteau

Any inquiry concerning this communication or earlier communications from the examiner should be directed to April L Baugh whose telephone number is 703-305-5317. The examiner can normally be reached on Monday-Friday 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R Sheikh can be reached on 703-305-9648. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3719 for regular communications and 703-305-3719 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

ALB
May 20, 2002

DAVID WILEY
PRIMARY EXAMINER